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HOUSE BILL 2216 By  
McAfee

SENATE BILL 2231  
By Gilbert

AN ACT to amend Part 7 of Chapter 221 of Title 68 of the  
Tennessee Code relative to the regulation of drinking  
water systems

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-221-703 is amended by deleting  
subsection (19) in its entirety and substituting instead the following:

(19) (A) In general. "Public Water System" means a system for the provision of water  
for human consumption through pipes or other constructed conveyances, if such serves  
15 or more connections or which regularly serves 25 or more individuals daily at least 60  
days out of the year. A public water system includes:

- (i) any collection, treatment, storage or distribution facility under control of the  
operator of such system and used primarily in connection with such system; and
- (ii) any collection or pretreatment storage facility not under such control which is  
used primarily in connection with such system.

(B) Connection:

(i) In general. For purposes of subsection (A), a connection to a system that  
delivers water by a conveyance other than a pipe shall not be considered a  
connection, if:

- (l) the water is used exclusively for purposes other than residential uses  
(consisting of drinking, bathing, and cooking, or other similar uses);

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(II) the Commissioner determines that alternative water to achieve the equivalent level of public health protection provided by the applicable national primary drinking water regulation is provided for residential or similar uses for drinking and cooking; or

(III) the Commissioner determines that the water provided for residential or similar uses for drinking, cooking and bathing is centrally treated or treated at the point of entry by the provider, a pass through entity, or the user to achieve the equivalent level of protection provided by the applicable national primary drinking water regulations.

(ii) Irrigation Districts - An irrigation district in existence prior to May 18, 1994, that provides primarily agricultural service through a piped water system with only incidental residential or similar use shall not be considered to be a public water system if the system or the residential or similar users of the system comply with subsection (II) or (III) of subsection (i).

SECTION 2. Tennessee Code Annotated, Section 68-221-703 is further amended by deleting subsection (9) in its entirety and substituting instead the following:

(9) "Director" means the director of the division of water supply.

SECTION 3. Tennessee Code Annotated, Section 68-221-703 is further amended by deleting subsection (10) in its entirety and substituting instead the following:

(10) "Division" means the division of water supply of the department.

SECTION 4. Tennessee Code Annotated, Section 68-221-704(2) is amended by adding the following as a new, appropriately designated subsection:

(E) Establish a requirement that all new community water systems and new nontransient, noncommunity water systems commencing operation after October 1, 1999, demonstrate technical, managerial, and financial capacity to comply with national

primary drinking water regulations and the provisions of this part and the rules promulgated hereunder.

SECTION 5. Tennessee Code Annotated, Section 68-221-705 is amended by adding the following as a new, appropriately designated subsection:

(14) Develop and implement a strategy to assist public water systems in acquiring and maintaining technical, managerial, and financial capacity to comply with national primary drinking water regulations and the provisions of this part and the rules promulgated hereunder.

SECTION 6. Tennessee Code Annotated, Section 68-221-709 is amended by deleting it in its entirety.

SECTION 7. This Act shall take effect upon becoming a law, the public welfare requiring it.